

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

**NANCY MARTIN and,
MARY BETH BRACKIN,**

Plaintiffs,

v.

**CITY OF DOTHAN and JUDGE
ROSE EVANS-GORDON,
Defendants.**

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Case No. 1:05-CV-1172-MEF

**PLAINTIFF'S RESPONSE TO
DEFENDANT'S RESPONSE TO RENEWED
MOTION TO EXTEND DISPOSITIVE
MOTION DEADLINE**

Plaintiffs' acknowledge that a tentative date was considered for the deposition of Mrs. Martin but was of the opinion that that date was not certain. There was no intent to mislead the Court. Mrs. Martin is in extreme discomfort and begs counsel to attempt to get her deposition reset near the end of the month. No schedules were agreed upon for the people that Plaintiff sought to depose. Principle among these witnesses is Defendant, Judge Gordon. Judge Gordon's deposition is expected to last a full day. There are a series of one to two hour depositions that the Plaintiffs wish to take. These depositions are essential not only to establish the facts of the case but to also prevent surprise and the inability to respond to post deposition Affidavits and/or Declarations from these witnesses.

The parties moving all of these depositions to the end of the month, if no extension is granted for the dispositive motions, will work an extreme hardship on the Plaintiff. Counsel is a single practice office with no support personnel. To review documents, notate their relevance, research the law and draft both an affirmative and a defensive brief, all within a week, will prove taxing if not impossible. On behalf of the Plaintiffs, counsel apologizes for the role he played in creating this effective discovery deadline crunch.

Respectfully submitted

/s/Ishmael Jaffree
Ishmael Jaffree
Attorney for Plaintiffs
951 Government St Bldg.
Suite 415
Mobile Alabama 36604
251-694-9090
Email ishjaff@yahoo.com

CERTIFICATE OF SERVICE

I hereby certify that on October 18, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Carol Sue Nelson
Maynard Cooper & Gale
1901 Sixth Avenue North
Birmingham Alabama 35203-2618

/s/Ishmael Jaffree
Ishmael Jaffree